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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/775.745 | 02/02/2001 | Christopher S. Moore | 10519/16 | 9392 |
| 7590 11/30/2004 | | | EXAMINER | |
| BRINKS HOFER GILSON & LIONE | | | RENEGHAN, MATTHEW E | |
| SUITE 3600 455 N. CITYFRONT PLAZA DR. | | | ART UNIT | PAPER NUMBER |
| CHICAGO, IL 60611 | | | 2134 | |

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



| | | $\lesssim \nu$ | | | | |
|--|---|--|--|--|--|--|
| | Application No. | Applicant(s) | | | | |
| | 09/775,745 | MOORE ET AL. | | | | |
| Office Action Summary | Examiner | Art Unit | | | | |
| | Matthew Heneghan | 2134 | | | | |
| The MAILING DATE of this communication apperiod for Reply | opears on the cover sheet w | ith the correspondence address | | | | |
| A SHORTENED STATUTORY PERIOD FOR REPI THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR 1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a re - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statu Any reply received by the Office later than three months after the maili earned patent term adjustment. See 37 CFR 1.704(b). | | reply be timely filed by (30) days will be considered timely. ITHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133). | | | | |
| Status | | | | | | |
| 1) Responsive to communication(s) filed on 02 i | Responsive to communication(s) filed on <u>02 February 2001</u> . | | | | | |
| 2a) This action is FINAL . 2b) ⊠ Th | ☐ This action is FINAL . 2b) ☐ This action is non-final. | | | | | |
| 3) Since this application is in condition for allows | Since this application is in condition for allowance except for formal matters, prosecution as to the merits is | | | | | |
| closed in accordance with the practice under | Ex parte Quayle, 1935 C.D. |). 11, 453 O.G. 213. | | | | |
| Disposition of Claims | | | | | | |
| 4)⊠ Claim(s) <u>1-71</u> is/are pending in the application. | | | | | | |
| 4a) Of the above claim(s) is/are withdrawn from consideration. | | | | | | |
| 5) Claim(s) is/are allowed. |) Claim(s) is/are allowed. | | | | | |
| 6) Claim(s) is/are rejected. | | | | | | |
| 7) Claim(s) is/are objected to. | | | | | | |
| 8)⊠ Claim(s) <u>1-71</u> are subject to restriction and/or | r election requirement. | | | | | |
| Application Papers | | | | | | |
| 9) The specification is objected to by the Examiner. | | | | | | |
| 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. | | | | | | |
| Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). | | | | | | |
| Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). | | | | | | |
| 11) The oath or declaration is objected to by the E | Examiner. Note the attached | d Office Action or form PTO-152. | | | | |
| Priority under 35 U.S.C. § 119 | | | | | | |
| 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document | nts have been received. | , | | | | |
| Copies of the certified copies of the pri | ority documents have been | received in this National Stage | | | | |
| application from the International Bure | au (PCT Rule 17.2(a)). | | | | | |
| * See the attached detailed Office action for a lis | st of the certified copies not | received. | | | | |
| | | | | | | |
| Attachment(s) | ∧ □ | S.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | | | | |
| 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date | | | | | | |
| 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/0 | 8) 5) Notice of I | nformal Patent Application (PTO-152) | | | | |
| Paper No(s)/Mail Date | 6) | · | | | | |

Application/Control Number: 09/775,745

Art Unit: 2134

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-51, drawn to data I/O into or out of a protected memory area, classified in class 713, subclass 200.
 - II. Claims 52-71, drawn to the distribution of a device containing software, classified in class 705, subclass 58.

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as preventing the use of unauthorized software in a secure custom-built computer. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

2. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Heneghan, whose telephone number is (571) 272-3834. The examiner can normally be reached on Monday, Tuesday, Thursday, and Friday from 8:30 AM - 4:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached at (571) 272-3838.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks P.O. Box 1450 Alexandria, VA 22313-1450

Or faxed to:

(703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Art Unit: 2134

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MEH

November 22, 2004

GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100